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economic) of various petitions for policy or rule changes submitted by industry or the public.

(c) Conducts studies and compiles data relating to multichannel video programming services necessary for the Commission to develop and maintain an adequate regulatory program.

(d) Advises and assists, the public, other government agencies and industry groups. Also assists the Consumer Information Bureau with informal consumer complaints and other general inquiries by consumers regarding cable regulations and related matters.

(e) Administers financial and other reporting systems.

(f) Investigates complaints and answers general inquiries from the public.

(g) Participates in hearings before the Administrative Law Judges and the Commission.

(h) Processes applications for authorizations in the Cable Television Relay Service.

(i) Processes and acts on all applications for authorization, petitions for special relief, petitions to deny, waiver requests, requests for certification, objections, complaints, and requests for declaratory rulings and stays regarding the areas listed above, that do not involve novel questions of fact, law or policy that cannot be resolved under existing precedents and guidelines.

(j) Periodically reviews and, when appropriate, revises standard forms related to the areas listed above.

(k) Exercises authority to issue non-hearing related subpoenas for the attendance of witnesses and the production of books, papers, correspondence, memoranda, schedule of charges, contracts, agreements, and any other records deemed relevant to the investigation of the Cable Services Bureau. Before issuing a subpoena, the Cable Services Bureau shall obtain the approval of the Office of General Counsel.

(l) Carries out the functions of the Commission under the Communications Act of 1934, as amended, except as reserved to the Commission under §0.321.

[62 FR 8401, Feb. 25, 1997, as amended at 64 FR 60716, Nov. 8, 1999]

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ENFORCEMENT BUREAU

§0.111 Functions of the Bureau.

(a) Serve as the primary Commission entity responsible for enforcement of the Communications Act and other communications statutes, the Commission's rules, Commission orders and Commission authorizations, other than matters that are addressed in the context of a pending application for a license or other authorization or in the context of administration, including post-grant administration, of a licensing or other authorization or registration program.

(1) Resolve complaints, including complaints filed under section 208 of the Communications Act, regarding acts or omissions of common carriers (wireline, wireless and international).

NOTE TO PARAGRAPH (a)(1): The Consumer Information Bureau has primary responsibility for informally resolving individual informal complaints from consumers against common carriers (wireline, wireless and international) and against other wireless licensees, and informal consumer complaints involving access to telecommunications services and equipment for persons with disabilities. The Common Carrier Bureau has primary responsibility regarding compliance with common carrier accounting and related requirements, including those imposed under section 220 of the Communications Act, and complaints regarding connection of equipment to the telephone network under part 68 of the Commission's rules. The International Bureau has primary responsibility for complaints regarding international settlements rules and policies. The Cable Services Bureau has primary responsibility for pole attachment complaints under section 224 of the Communications Act.

(2) Resolve complaints regarding acts or omissions of non-common carriers subject to the Commission's jurisdiction under Title II of the Communications Act and related provisions, including complaints against aggregators under section 226 of the Communications Act and against entities subject to the requirements of section 227 of the Communications Act.

NOTE TO PARAGRAPH (a)(2): The Consumer Information Bureau has primary responsibility for informally resolving individual informal complaints from consumers against non-common carriers subject to the Commission's jurisdiction under Title II of the Communications Act and related provisions,

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other than complaints involving access to communications services and equipment for persons with disabilities.

(3) Resolve formal complaints regarding accessibility to telecommunications services and equipment for persons with disabilities, including complaints filed pursuant to sections 225 and 255 of the Communications Act.

(4) Resolve complaints regarding radiofrequency interference and complaints regarding radiofrequency equipment and devices, including complaints of violations of sections 302 and 333 of the Communications Act.

NOTE TO PARAGRAPH (a)(4): The Cable Services Bureau has shared responsibility for cable signal leakage complaints and the Office of Engineering and Technology has shared responsibility for radiofrequency equipment and device complaints.

(5) Resolve complaints regarding compliance with the Commission's Emergency Alert System rules.

(6) Resolve complaints regarding the lighting and marking of radio transmitting towers under section 303(q) of the Communications Act.

NOTE TO PARAGRAPH (a)(6): The Wireless Telecommunications Bureau has responsibility for administration of the tower registration program.

(7) Resolve complaints regarding compliance with statutory and regulatory provisions regarding indecent communications subject to the Commission's jurisdiction.

(8) Resolve complaints regarding the broadcast and cable television children's television programming commercial limits contained in section 102 of the Children's Television Act.

NOTE TO PARAGRAPH (a)(8): The Mass Media Bureau has responsibility for enforcement of these limits in the broadcast television renewal context.

(9) Resolve complaints regarding unauthorized construction and operation of communications facilities, including complaints of violations of section 301 of the Communications Act.

(10) Resolve complaints regarding false distress signals under section 325(a) of the Communications Act.

(11) Resolve other complaints against Title III licensees and permittees.

NOTE TO PARAGRAPH (a)(11): The Mass Media Bureau has primary responsibility for complaints regarding children's television programming requirements, and for political and related programming matters and equal employment opportunity matters involving broadcasters, cable operators and other multichannel video programming distributors. The relevant licensing Bureau has primary responsibility for complaints involving tower siting and the Commission's environmental rules. The Cable Services Bureau has primary responsibility for complaints regarding the Commission's Cable Antenna Relay Service rules.

(12) Resolve complaints regarding other matters assigned to it by the Commission, matters that do not fall within the responsibility of another Bureau or Office or matters that are determined by mutual agreement with another Bureau or Office to be appropriately handled by the Enforcement Bureau.

(13) Identify and analyze complaint information, conduct investigations, conduct external audits and collect information, including pursuant to sections 218, 308(b), 403 and 409(e) through (k) of the Communications Act, in connection with complaints, on its own initiative or upon request of another Bureau or Office.

(14) Issue or draft orders taking or recommending appropriate action in response to complaints or investigations, including, but not limited to, admonishments, damage awards where authorized by law or other affirmative relief, notices of violation, notices of apparent liability and related orders, notices of opportunity for hearing regarding a potential forfeiture, hearing designation orders, orders designating licenses or other authorizations for a revocation hearing and consent decrees. Issue or draft appropriate orders after a hearing has been terminated by an Administrative Law Judge on the basis of waiver. Issue or draft appropriate interlocutory orders and take or recommend appropriate action in the exercise of its responsibilities.

(15) Encourage cooperative compliance efforts.

(16) Mediate and settle disputes.

(17) Provide information regarding pending complaints, compliance with relevant requirements and the complaint process, where appropriate and

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to the extent the information is not available from the Consumer Information Bureau or other Bureaus and Offices.

(18) Exercise responsibility for rule-making proceedings regarding general enforcement policies and procedures.

(19) Advise the Commission or responsible Bureau or Office regarding the enforcement implications of existing and proposed rules.

(20) Serve as the primary point of contact for coordinating enforcement matters, including market and consumer enforcement matters, with other federal, state and local government agencies, as well as with foreign governments after appropriate consultation, and provide assistance to such entities. Refer matters to such entities, as well as to private sector entities, as appropriate.

(b) Serve as trial staff in formal hearings conducted pursuant to 5 U.S.C. 556 regarding applications, revocation, forfeitures and other matters designated for hearing.

(c) Under the general direction of the Defense Commissioner, coordinate the defense activities of the Commission and provide support to the Defense Commissioner with respect to his or her participation in the Joint Telecommunications Resources Board, and the National Security Telecommunications Advisory Committee and other organizations. Recommend national emergency plans and preparedness programs covering Commission functions during national emergency conditions. Support the Chief of the Common Carrier, International and Wireless Telecommunications Bureaus on matters involving assignment of Telecommunications Service Priority System priorities and in administration of that system. The Chief, Enforcement Bureau, or that person's designee, acts as FCC Alternate Defense Coordinator and principal to the National Communications System. Perform such alternate functions as may be delegated during a national emergency or following activation of the President's war emergency powers as specified in section 706 of the Communications Act.

(d) In coordination with the International Bureau, participate in international conferences dealing with mon-

itoring and measurement; serve as the point of contact for the U.S. Government in matters of international monitoring, fixed and mobile direction-finding and interference resolution; and oversee coordination of non-routine communications and materials between the Commission and international or regional public organizations or foreign administrations.

(e) In conjunction with the Office of Engineering and Technology, work with technical standards bodies.

(f) Administer the Commission's Emergency Alert System. Be responsible for rulemakings involving the Emergency Alert System.

(g) Oversee the Commission's privatized ship radio safety inspection program.

(h) Have authority to rule on emergency requests for Special Temporary Authority during non-business hours.

(i) Provide field support for, and field representation of, the Bureau, other Bureaus and Offices and the Commission. Coordinate with other Bureaus and Offices as appropriate.

(j) Handle congressional and other correspondence relating to or requesting specific enforcement actions, specific complaints or other specific matters within the responsibility of the Bureau, to the extent not otherwise handled by the Consumer Information Bureau, the Office of General Counsel (impermissible *ex parte* presentations) or another Bureau or Office.

(k) Have authority to issue non-hearing related subpoenas for the attendance and testimony of witnesses and the production of books, papers, correspondence, memoranda, schedules of charges, contracts, agreements, and any other records deemed relevant to the investigation of matters within the responsibility of the Bureau. Before issuing a subpoena, the Enforcement Bureau shall obtain the approval of the Office of General Counsel.

(l) Perform such other functions as may be assigned or referred to it by the Commission.

[64 FR 60716, Nov. 8, 1999]

§0.111 Functions of the Bureau.

(a) Enforce the Commission's Rules and Regulations; provide support to other governmental units, investigate